

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**BOBBY LEE DICKERSON,
No. M35352,**

Plaintiff,

vs.

**VIENNA CORRECTIONAL CENTER,
and VIENNA MEDICAL CARE,**

Defendants.

CIVIL NO. 13-cv-00557-MJR

MEMORANDUM AND ORDER

REAGAN, District Judge:

When Plaintiff Bobby Lee Dickerson, Jr., initiated this civil rights action he was incarcerated at Vienna Correctional Center. Although he was a “three striker” for purposes of 28 U.S. § 1915(e), because of the nature of his claims, he was permitted to proceed. On August 13, 2013, this Court assessed an initial partial filing fee of \$4.68, and because Dickerson had just informed the Court that he was released from prison, he was ordered to pay the remaining balance of the \$350 filing fee (\$345.32) or file an updated motion to proceed *in forma pauperis* within 15 days—by August 28, 2013. Plaintiff was forewarned that if he did not comply in the time allotted, this case would be dismissed for failure to comply with an order of this Court.

The Order was mailed to Dickerson’s address of record, Wayside Cross Ministries. On August 23, 2013, the Order was returned to the Clerk of Court from Wayside Ministries, marked “undeliverable” and “unable to forward” (Doc. 15).

As of this date, Plaintiff has not paid the filing fee or moved anew for pauper status. Moreover, he has not informed the Court of his change of address within 7 days of moving, as required by Local Rule 3.1(b). Consequently, dismissal under Federal Rule of Civil

Procedure 41(b) is warranted. Dismissal shall be with prejudice, but a strike will not be assessed under Section 1915(g).

IT IS HEREBY ORDERED that, for the reasons stated, this action is dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b). No strike will be assessed under 28 U.S.C. § 1915(g). This case is closed and judgment shall enter accordingly. Plaintiff's pending motion to file an amended complaint (Doc. 11) is **DENIED AS MOOT**.

IT IS SO ORDERED.

DATED: September 25, 2013

s/ Michael J. Reagan

MICHAEL J. REAGAN
UNITED STATES DISTRICT JUDGE